

**To: Members of the Judiciary Committee**

**From: Roberta J. Cook, President and CEO**

**Re: Judiciary Committee Public Hearings on SB-462, An Act Concerning Civil Restraining and Protective Orders**

**Date: March 17, 2014**

Senator Coleman, Representative Fox, Senator Doyle, Representative Ritter, and distinguished members of the Judiciary Committee, I thank you for your consideration of my testimony. My name is Roberta Cook and I am the President and CEO of BHcare, a regional nonprofit dedicated to improving the lives and health of the communities we serve by providing comprehensive behavioral health, prevention and domestic violence services. BHcare's The Umbrella Center for Domestic Violence Services provides 24-hour crisis, safe shelter, counseling and advocacy services for nearly 7,000 victims of domestic violence and their children each year.

I am writing today in support of SB-462, An Act Concerning Civil Restraining and Protective Orders. SB-462 will strengthen the protections ordered by civil restraining and protective orders by including financial protections, establishing a task force to study the service of protective orders, and increasing the penalty for a criminal violation of a restraining order.

Financial protections are critical to the safety of domestic violence victims and their children. 98% of abusive relationships include some form of financial abuse, and many victims state they are unable to leave an abusive relationship because they are financially dependent on their abuser. I greatly support section 1, subsection (b) of SB-462 which stipulates that the court, at its discretion, may make such orders for the protection of an applicant and its dependent children by preventing the subjects of the orders from turning off home utilities and cancelling insurance policies and requiring them to continue making mortgage payments.

The service of protective orders is crucial for victim safety, but can be a frustrating and time consuming process for victims who oftentimes file for restraining orders pro se. Victims have a difficult time finding marshals to serve the order, and when orders cannot be properly served, the burden is placed on the victim to return to the court to file a new application for the order. I strongly support section (3) of SB-462 which establishes a task force to provide a thoughtful and in-depth examination of the strengths and challenges of our current service system, and make recommendations for improvements that will benefit both victims and those who must serve and enforce the orders.

I also strongly support sections (4-10) of SB-462 which increase the penalties for violating restraining orders to up to 10 years in prison and \$10,000 in fines, and the possibility of being charged with a Class C felony, up from a Class D felony. Violations of restraining and protective orders are serious and should be penalized as such. If the respondent or subject of a restraining or protective order is willing to violate the rules set by the court, then there is a very real possibility that their abusive or violent behavior will escalate. Increasing the penalties for these violations sends a clear message about the seriousness of the criminal behavior and that it will not be tolerated.

I thank the Judiciary Committee for paying attention to this important issue and for drafting a bill that will strengthen the protections ordered by civil restraining and protective orders and in so give victims of domestic violence and their children a more safe and streamlined route to escape.